



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 7**

11201 Renner Boulevard
Lenexa, Kansas 66219

JUN 18 2015

CERTIFIED MAIL

RETURN RECEIPT REQUESTED

Article Number: 7014 1200 0000 6125 8799

Mr. Phillips Lamb
Plant Manager
Americana Company, Inc.
415 North Burnett
Shenandoah, Iowa 51601

RE: Americana Company, Inc.
Shenandoah, Iowa
RCRA ID No.: IAR000503318

Dear Mr. Lamb:

Letter of Warning/Request for Information

On September 11, 2014, a representative of the U. S. Environmental Protection Agency (EPA) inspected your facility. The inspection was conducted under the authority of Section 3007 of the Resource Conservation and Recovery Act (RCRA).

My staff has reviewed the inspection report, and your January 14, 2015, response to the Notice of Preliminary Findings (NOPF) and determined that violations of RCRA were documented. We are requesting additional information regarding your facility's compliance status. Enclosed is a list of violations followed by a list of questions and/or requested information. Also enclosed are instructions to be used in providing your response. Please carefully read and follow these instructions. Your response to this request in accordance with the instructions is required by Section 3007 of RCRA and substantial penalties may result from not complying. Please note that the EPA reserves its right to pursue appropriate enforcement actions, including penalties, for violations discovered as a result of the inspection, regardless of whether the violations were subsequently corrected.



Printed on Recycled Paper

Within thirty (30) calendar days of receiving this letter, please mail your response to: Deborah Bredehoft, AWMD/WEMM, U. S. Environmental Protection Agency, 11201 Renner Boulevard, Lenexa, Kansas 66219. To request an extension of the time limit, follow the instructions in the enclosure. Please direct all questions concerning this letter to Ms. Bredehoft, of my staff, at (913) 551-7164.

Sincerely,

2105 8 1 JUL



Donald Toensing

Chief

Waste Enforcement and Materials Management

Branch

Air and Waste Management Division

Enclosures (3)

cc: Mr. Cal Lundberg, Chief, Contaminated Sites Section
Iowa Department of Natural Resources

List of Violations
Americana Company, Inc.
Shenandoah, Iowa
RCRA ID No.: IAR000503318

1. Title 40 Code of Federal Regulations (40 CFR) 262.40(a) - Failure to maintain manifests on-site for three years.
2. Rescinded
3. 40 CFR 262.11 - Failure to make a hazardous waste determination on the following waste streams:
 - a. powder coating waste; and
 - b. lamps.
4. 40 CFR 268.7(a)(2) - Failure to include the manifest number, treatment standard, and waste analysis data on the Land Disposal Restriction (LDR) notifications.
5. 40 CFR 268.7(a)(8) - Failure to maintain copies of LDR notifications on-site for 3 years.
6. 40 CFR 262.34(d)(4) referencing 40 CFR 265.37 - Failure to make arrangements with local authorities.
7. * 40 CFR 262.34(d)(5)(i) - Failure to have an emergency coordinator on the premises or on call.
8. 40 CFR 262.34(d)(5)(ii) - Failure to keep the emergency coordinator's name and phone numbers, the fire department's phone number, and the location of fire extinguishers and spill control equipment posted near the phone.
9. 40 CFR 262.34(d)(4) referencing 40 CFR 262.34(a)(2) - Failure to date 15 bags of plating sludge.
10. 40 CFR 262.34(d)(4) referencing 40 CFR 262.34(a)(3) - Failure to label 12 bags of plating sludge with the words "Hazardous Waste."
11. 40 CFR 262.34(d)(2) referencing 40 CFR 262.173(a) - Failure to keep 12 bags of plating sludge closed.
12. 40 CFR 265.34(d)(4) referencing 40 CFR 265.35 - Failure to maintain adequate aisle space.
13. 40 CFR 262.34(f) and RCRA Section 3005 - Storage of bags of plating sludge for greater than 270 days without a permit.
14. 40 CFR 262.34(d)(2) referencing 40 CFR 265.174 - Failure to inspect the container accumulation area (CAA) on a weekly basis.
15. 40 CFR 262.34(d)(4) referencing 40 CFR 265.32(b) - Failure to have a device capable of immediately summoning emergency assistance in the CAA.

16. 40 CFR 262.34(d)(4) referencing 40 CFR 265.32(c) - Failure to provide proper spill control and decontamination in the CAA.
17. 40 CFR 262.34(d)(4) referencing 40 CFR 265.33 - Failure to test communication and emergency equipment.
18. 40 CFR 262.34(d)(4) referencing 40 CFR 265.31 - Failure to minimize the possibility of a release.
19. 40 CFR 262.34(d)(5)(iv)(B) - Failure to contain and clean up a hazardous waste spill.
20. 40 CFR 262.34(d)(5)(iii) - Failure to ensure all employees are familiar with waste handling and emergency procedures relevant to their responsibilities.

*The above-listed violation was addressed through previous correspondence.

Requested Information
Americana Company, Inc.
Shenandoah, Iowa
RCRA ID No.: IAR000503318

The EPA completed a RCRA inspection at the Americana Company, Inc. (Americana) on September 11, 2014. The facility was inspected as a Small Quantity Generator (SQG) based on the calculated average generation rate of 475 kilograms per month of plating sludge generated. The generation rate was calculated based on manifests and information provided by you for the 26 months preceding the EPA's inspection. At the time of the inspection, the plating sludge was considered to be a D007/F006 hazardous waste because of the previous mixing of the zinc plating line's sludge with the sludge from the previously operated chromium and nickel plating lines. Based on the management of this waste stream at the time of the inspection, the EPA left a NOPF with your facility for the violations listed above. Following the inspection, you exchanged e-mail correspondence with Deborah Bredehoft, of my staff, in which you stated that you had analytical results indicating that the plating sludge did not contain any hazardous materials. In order to determine the appropriate regulations for Americana at the time of the EPA's inspection and going forward, please provide the following information regarding the wastes generated by your facility.

1. With regard to the plating waste sludges, please provide the following information:
 - a. the analytical results referenced in your April 8, 2015, e-mail correspondence;
 - b. state if the analysis referenced in your April 8, 2015, e-mail was completed on:
 - i. the zinc plating line's wastewater sludge generated by your facility at the time of analysis; or
 - ii. the wastewater treatment sludge in storage at the time of the EPA's September 11, 2014, inspection;
 - c. a detailed narrative, with supporting documentation and drawings, outlining the electroplating process(es) that generated the plating sludge that was stored in the main CAA at the time of the EPA's inspection;
 - d. provide the date that your facility ceased mixing the zinc plating line's sludge with the wastewater treatment sludge from the chromium and nickel plating lines;
 - e. provide the date that the last of the wastewater treatment sludge from the chromium and nickel plating lines was removed from the wastewater treatment tank;
 - f. a hazardous waste determination on:
 - the zinc plating sludge currently generated; and
 - the mixture of the zinc plating sludge and wastewater treatment sludge from the chromium and nickel plating lines
- by providing the following information:
- i. a determination of whether or not the waste has been excluded from regulation under 40 CFR 261.4.
 - ii. a determination of whether or not the waste has been listed as a hazardous waste in Subpart D of 40 CFR 261. **If the waste is a listed waste, please provide the listed waste code in your response;** and
 - iii. a determination of whether or not the waste is identified in 40 CFR 261 Subpart C. To determine whether the waste fails any of the characteristics in Subpart C, the waste may need to be analyzed using one of the methods found in Subpart C

of 40 CFR 261, or by applying knowledge of the waste characteristics based upon the materials or processes used. Any laboratory analyses used to make this determination must be provided to the EPA as well as a detailed description as to how each sample was taken. The laboratory analyses required may include ignitability tests (40 CFR 261.21), corrosivity tests (40 CFR 261.22), reactivity tests (40 CFR

261.23), and/or toxicity characteristic leaching procedure (TCLP) testing. **If the waste is a characteristic hazardous waste, please provide the characteristic waste code in your response.**

- iv. If your facility elects to apply process knowledge to make a waste determination on the zinc plating line sludge and the mixture of the zinc plating line sludge and wastewater treatment sludge from the chromium and nickel plating lines, you must provide a detailed explanation and your reasoning regarding the basis for this determination. Material Safety Data Sheets (MSDS) may provide information to supplement your response. **Also, if you apply process knowledge to make the determination, please include all hazardous waste codes for the wastes in your response.**

- 2. With regard to Violation Number 3.a., please complete a hazardous waste determination on the powder coating waste by providing the following information:
 - a. a determination of whether or not the waste has been excluded from regulation under 40 CFR 261.4.
 - b. a determination of whether or not the waste has been listed as a hazardous waste in Subpart D of 40 CFR 261. **If the waste is a listed waste, please provide the listed waste code in your response;** and
 - c. a determination of whether or not the waste is identified in 40 CFR 261 Subpart C. To determine whether the waste fails any of the characteristics in Subpart C, the waste may need to be analyzed using one of the methods found in Subpart C of 40 CFR 261, or by applying knowledge of the waste characteristics based upon the materials or processes used. Any laboratory analyses used to make this determination must be provided to the EPA as well as a detailed description as to how each sample was taken. The laboratory analyses required may include ignitability tests (40 CFR 261.21), corrosivity tests (40 CFR 261.22), reactivity tests (40 CFR 261.23), and/or toxicity characteristic leaching procedure (TCLP) testing. **If the waste is a characteristic hazardous waste, please provide the characteristic waste code in your response.**
 - d. If your facility elects to apply process knowledge to make a waste determination of the waste streams identified in Violation Number 3.a., you must provide a detailed explanation and your reasoning regarding the basis for this determination. Material Safety Data Sheets (MSDS) may provide information to supplement your response. **Also, if you apply process knowledge to make the determination, please include all hazardous waste codes for the wastes in your response.**

3. With regard to Violation Number 3.b., you indicated during the inspection that Americana used both silver and green-tipped lamps. You stated that the new lamps were green-tipped and at the time of the inspection, you provided some information about the green-tipped lamps. Please complete a hazardous waste determination on both the silver and green-tipped lamps generated by your facility by providing the following information:
- a determination of whether or not the waste has been excluded from regulation under 40 CFR 261.4.
 - a determination of whether or not the waste has been listed as a hazardous waste in Subpart D of 40 CFR 261. **If the waste is a listed waste, please provide the listed waste code in your response;** and
 - a determination of whether or not the waste is identified in 40 CFR 261 Subpart C. To determine whether the waste fails any of the characteristics in Subpart C, the waste may need to be analyzed using one of the methods found in Subpart C of 40 CFR 261, or by applying knowledge of the waste characteristics based upon the materials or processes used. Any laboratory analyses used to make this determination must be provided to the EPA as well as a detailed description as to how each sample was taken. The laboratory analyses required may include ignitability tests (40 CFR 261.21), corrosivity tests (40 CFR 261.22), reactivity tests (40 CFR 261.23), and/or toxicity characteristic leaching procedure (TCLP) testing. **If the waste is a characteristic hazardous waste, please provide the characteristic waste code in your response.**
 - If your facility elects to apply process knowledge to make a waste determination of the waste streams identified in Violation Number 3.b., you must provide a detailed explanation and your reasoning regarding the basis for this determination. Material Safety Data Sheets (MSDS) may provide information to supplement your response. **Also, if you apply process knowledge to make the determination, please include all hazardous waste codes for the wastes in your response.**
4. If the waste streams identified in Violation Number 3 are determined to be hazardous waste(s), please provide the monthly generation rate(s) of each hazardous waste stream.

Based on the above-listed waste determinations, as appropriate, please provide the following information:

5. Based on the generation rates of the hazardous wastes identified at Americana, please provide:
- the monthly hazardous waste generation rate at the time of the EPA's inspection;
 - the amount of hazardous waste on-site at the time of the EPA's inspection;
 - Americana's generator status at the time of the EPA's September 11, 2014, inspection;
 - the currently monthly hazardous waste generation rate;
 - the amount of hazardous waste currently on-site; and
 - Americana's current generator status.

If your facility was either a SQG (or Large Quantity Generator) at the time of the EPA's inspection and/or is currently an SQG (or LQG), please provide the following information:

- g. with regard to Violation Numbers 1, 4, and 5, please provide the following:
 - i. copies of the previous three years of manifests and the accompanying LDR notifications; and
 - ii. state how Americana is currently maintaining its manifests and LDRs.
- h. with regard to Violation Number 6, state how Americana has attempted to make arrangements with local authorities;
- i. with regard to Violation Number 8, if your facility was an SQG at the time of the EPA's inspection or is currently an SQG, provide photographic documentation that the following information is placed next to the telephone:
 - i. the emergency coordinator's name and phone number,
 - ii. the fire department's phone number,
 - iii. the location of the fire extinguishers and spill control equipment;
- j. with regard to Violation Numbers 9 through 14 and 18 through 19, if either of the following:
 - the zinc plating sludge currently generated; or
 - the plating sludge in the container accumulation area at the time of the inspection; were determined to be hazardous waste, provide the following information:
 - i. documentation (i.e., manifests, shipping papers, etc.) of how the plating sludge in the container accumulation area at the time of the inspection was removed from your facility;
 - ii. if any hazardous waste plating sludge is currently managed at your facility, provide the following information:
 - 1. photographic documentation that it is appropriately labeled, dated, and closed;
 - 2. documentation that the hazardous waste plating sludge is removed within the appropriate timeframe (i.e., 180 days, etc.);
 - 3. state if weekly inspections are being completed;
 - 4. photographic documentation that the containers of hazardous waste are being managed in a manner to minimize the possibility of a release;
 - 5. documentation (i.e. photographs, work orders, etc.) that the releases of plating sludge observed at the time of the EPA's inspection were cleaned up;
- k. with regard to Violation Number 15, state how Americana ensures that its employees have a device capable of summoning emergency assistance (i.e., all employees carry cell phones when managing hazardous waste, a landline is located in areas where hazardous waste is managed, etc.);
- l. with regard to Violation Number 16, state if Americana had spill control, decontamination, and safety equipment:
 - i. at the time of the inspection; and
 - ii. currently;

of 40 CFR 261, or by applying knowledge of the waste characteristics based upon the materials or processes used. Any laboratory analyses used to make this determination must be provided to the EPA as well as a detailed description as to how each sample was taken. The laboratory analyses required may include ignitability tests (40 CFR 261.21), corrosivity tests (40 CFR 261.22), reactivity tests (40 CFR

261.23), and/or toxicity characteristic leaching procedure (TCLP) testing. **If the waste is a characteristic hazardous waste, please provide the characteristic waste code in your response.**

- iv. If your facility elects to apply process knowledge to make a waste determination on the zinc plating line sludge and the mixture of the zinc plating line sludge and wastewater treatment sludge from the chromium and nickel plating lines, you must provide a detailed explanation and your reasoning regarding the basis for this determination. Material Safety Data Sheets (MSDS) may provide information to supplement your response. **Also, if you apply process knowledge to make the determination, please include all hazardous waste codes for the wastes in your response.**

- 2. With regard to Violation Number 3.a., please complete a hazardous waste determination on the powder coating waste by providing the following information:

- a. a determination of whether or not the waste has been excluded from regulation under 40 CFR 261.4.
- b. a determination of whether or not the waste has been listed as a hazardous waste in Subpart D of 40 CFR 261. **If the waste is a listed waste, please provide the listed waste code in your response;** and
- c. a determination of whether or not the waste is identified in 40 CFR 261 Subpart C. To determine whether the waste fails any of the characteristics in Subpart C, the waste may need to be analyzed using one of the methods found in Subpart C of 40 CFR 261, or by applying knowledge of the waste characteristics based upon the materials or processes used. Any laboratory analyses used to make this determination must be provided to the EPA as well as a detailed description as to how each sample was taken. The laboratory analyses required may include ignitability tests (40 CFR 261.21), corrosivity tests (40 CFR 261.22), reactivity tests (40 CFR 261.23), and/or toxicity characteristic leaching procedure (TCLP) testing. **If the waste is a characteristic hazardous waste, please provide the characteristic waste code in your response.**
- d. If your facility elects to apply process knowledge to make a waste determination of the waste streams identified in Violation Number 3.a., you must provide a detailed explanation and your reasoning regarding the basis for this determination. Material Safety Data Sheets (MSDS) may provide information to supplement your response. **Also, if you apply process knowledge to make the determination, please include all hazardous waste codes for the wastes in your response.**

3. With regard to Violation Number 3.b., you indicated during the inspection that Americana used both silver and green-tipped lamps. You stated that the new lamps were green-tipped and at the time of the inspection, you provided some information about the green-tipped lamps. Please complete a hazardous waste determination on both the silver and green-tipped lamps generated by your facility by providing the following information:
 - a. a determination of whether or not the waste has been excluded from regulation under 40 CFR 261.4.
 - b. a determination of whether or not the waste has been listed as a hazardous waste in Subpart D of 40 CFR 261. **If the waste is a listed waste, please provide the listed waste code in your response;** and
 - c. a determination of whether or not the waste is identified in 40 CFR 261 Subpart C. To determine whether the waste fails any of the characteristics in Subpart C, the waste may need to be analyzed using one of the methods found in Subpart C of 40 CFR 261, or by applying knowledge of the waste characteristics based upon the materials or processes used. Any laboratory analyses used to make this determination must be provided to the EPA as well as a detailed description as to how each sample was taken. The laboratory analyses required may include ignitability tests (40 CFR 261.21), corrosivity tests (40 CFR 261.22), reactivity tests (40 CFR 261.23), and/or toxicity characteristic leaching procedure (TCLP) testing. **If the waste is a characteristic hazardous waste, please provide the characteristic waste code in your response.**
 - d. If your facility elects to apply process knowledge to make a waste determination of the waste streams identified in Violation Number 3.b., you must provide a detailed explanation and your reasoning regarding the basis for this determination. Material Safety Data Sheets (MSDS) may provide information to supplement your response. **Also, if you apply process knowledge to make the determination, please include all hazardous waste codes for the wastes in your response.**
4. If the waste streams identified in Violation Number 3 are determined to be hazardous waste(s), please provide the monthly generation rate(s) of each hazardous waste stream.

Based on the above-listed waste determinations, as appropriate, please provide the following information:

5. Based on the generation rates of the hazardous wastes identified at Americana, please provide:
 - a. the monthly hazardous waste generation rate at the time of the EPA's inspection;
 - b. the amount of hazardous waste on-site at the time of the EPA's inspection;
 - c. Americana's generator status at the time of the EPA's September 11, 2014, inspection;
 - d. the currently monthly hazardous waste generation rate;
 - e. the amount of hazardous waste currently on-site; and
 - f. Americana's current generator status.

3. With regard to Violation Number 3.b., you indicated during the inspection that Americana used both silver and green-tipped lamps. You stated that the new lamps were green-tipped and at the time of the inspection, you provided some information about the green-tipped lamps. Please complete a hazardous waste determination on both the silver and green-tipped lamps generated by your facility by providing the following information:
 - a. a determination of whether or not the waste has been excluded from regulation under 40 CFR 261.4.
 - b. a determination of whether or not the waste has been listed as a hazardous waste in Subpart D of 40 CFR 261. **If the waste is a listed waste, please provide the listed waste code in your response;** and
 - c. a determination of whether or not the waste is identified in 40 CFR 261 Subpart C. To determine whether the waste fails any of the characteristics in Subpart C, the waste may need to be analyzed using one of the methods found in Subpart C of 40 CFR 261, or by applying knowledge of the waste characteristics based upon the materials or processes used. Any laboratory analyses used to make this determination must be provided to the EPA as well as a detailed description as to how each sample was taken. The laboratory analyses required may include ignitability tests (40 CFR 261.21), corrosivity tests (40 CFR 261.22), reactivity tests (40 CFR 261.23), and/or toxicity characteristic leaching procedure (TCLP) testing. **If the waste is a characteristic hazardous waste, please provide the characteristic waste code in your response.**
 - d. If your facility elects to apply process knowledge to make a waste determination of the waste streams identified in Violation Number 3.b., you must provide a detailed explanation and your reasoning regarding the basis for this determination. Material Safety Data Sheets (MSDS) may provide information to supplement your response. **Also, if you apply process knowledge to make the determination, please include all hazardous waste codes for the wastes in your response.**
4. If the waste streams identified in Violation Number 3 are determined to be hazardous waste(s), please provide the monthly generation rate(s) of each hazardous waste stream.

Based on the above-listed waste determinations, as appropriate, please provide the following information:

5. Based on the generation rates of the hazardous wastes identified at Americana, please provide:
 - a. the monthly hazardous waste generation rate at the time of the EPA's inspection;
 - b. the amount of hazardous waste on-site at the time of the EPA's inspection;
 - c. Americana's generator status at the time of the EPA's September 11, 2014, inspection;
 - d. the currently monthly hazardous waste generation rate;
 - e. the amount of hazardous waste currently on-site; and
 - f. Americana's current generator status.

